

### III. REMARKS

Claims 28, 31, 35 and 38 have been amended. Claims 22-42 remain pending in this application.

The Examiner objected to Claims 28 and 38. Claims 28 and 38 have been amended to overcome the objection. In particular, claim 28 has been amended to add a comma on line 3 after "bores". This is not a narrowing amendment. Claim 38 has been amended to change a patently incorrect spelling of "mens" to the correctly spelled "means". This also is not a narrowing amendment.

Claims 31, and 41-42 have been rejected under 35 U.S.C. 112, Second paragraph as being indefinite. Claims 31 and 41 have been amended to overcome the rejection. The amendment to Claim 31 replaces "preferably" with "about", and is thus not a narrowing amendment. The amendment to Claim 41 replaces the indefinite article "a" (i.e. "a crank") with the phrase "at least one" (i.e. "at least one crank") which is substantially equivalent to "a" (i.e. the term "a" has been interpreted as meaning one or more and the term "at least one" has also been interpreted as meaning "one or more"). Hence, this is not a narrowing amendment.

Claims 22-27 have been rejected under 35 U.S.C. 102(e) as being anticipated by Bonora et al. (US 6,220,808, hereinafter Bonora). The Applicant respectfully disagrees.

It is noted that Bonora is not valid prior art with respect to the instant application. The effective date for Bonora (U.S. 6,220,808) is its filing date of 7/13/98. By comparison, the instant application is the national phase under 35 U.S.C. 371 of international Application PCT/EP99/00883, filed 2/11/99 that claims priority under 35 U.S.C. 119 from foreign application DE 19805624.9, filed 2/28/98. Thus, the instant application is

entitled to the priority date of 2/28/98 which is before the effective date of 7/13/98 of Bonora '808. Accordingly, Bonora '808 is not valid prior art against the instant application. Therefore, claims 22-27 are patentable over the cited art and should be allowed. Further, Bonora '808 forms a basis for all the rejections under 35 U.S.C. 103/102 in the Action. Accordingly, as Bonora '808 is not valid prior art against the instant application, all the rejections should be withdrawn. Claims 22-42 are patentable over the cited art and should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$110.00 is enclosed for a one month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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9/29/03

Date

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